

SUBCHAPTER 02D - AIR POLLUTION CONTROL REQUIREMENTS
SECTION .1000 MOTOR VEHICLE EMISSION CONTROL STANDARDS

.1001 PURPOSE

This Section sets forth motor vehicle emission control standards in areas where a motor vehicle inspection and maintenance program is implemented pursuant to State law.

History Note: Authority G. S. 143-215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6); 143-215.107(a)(7);
 Eff. December 1, 1982;
 Amended Eff. July 1, 2002;
 Readopted Eff. July 1, 2018.

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg.	Jul 01, 1994	Jun 02, 1995	60 FR 28726
1 st Revision	Aug 07, 2002	Oct 30, 2002	67 FR 66056
2 nd Revision	Jul. 31, 2018	Sep. 11, 2019	84 FR 47889

.1002 APPLICABILITY

(a) Until the events described in Paragraph (b) of this Rule occur, 15A NCAC 02D Rules .1002 through .1006 shall be applicable to all light-duty gasoline vehicles for model years 1996 or more recent model years excluding vehicles from the three most recent model years with less than 70,000 miles on their odometers , and shall apply to all vehicles that are:

- (1) required to be registered by the North Carolina Division of Motor Vehicles in the counties identified in Paragraph (d) of this Rule;
- (2) part of a fleet primarily operated within the counties identified in Paragraph (d) of this Rule; or

(3) otherwise required under G.S. 20-183.2(b)(5).

(b) On the first day of the month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that the United States Environmental Protection Agency has approved an amendment to the North Carolina State Implementation Plan, 15A NCAC 02D .1002 through .1006 of this Section shall apply to all light-duty gasoline vehicles that are a model year within 20 years of the current year, excluding vehicles from the three most recent model years with less than 70,000 miles on their odometers, and to all vehicles that are:

(1) required to be registered by the North Carolina Division of Motor Vehicles in the counties identified in Paragraph (d) of this Rule;

(2) part of a fleet primarily operated within the counties identified in Paragraph (d) of this Rule; or

(3) otherwise required under G.S. 20-183.2(b)(5).

(c) 15A NCAC .1002 through .1006 shall not apply to motorcycles, plug-in electric vehicles or fuel cell electric vehicles as specified in G.S. 20-183.2(b).

(d) The emission control standards of this Section shall become effective in the counties identified in G.S. 143-215.107A.

History Note: Authority G.S. 20-128.2(a); 20-183.2; 143-215.3(a)(1); 143-215.107(a)(3); 143-215.107(a)(6); 143-215.107(a)(7); 143-215.107A;

Eff. December 1, 1982;

Amended Eff. July 1, 1992; April 1, 1991;

Temporary Amendment Eff. January 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. January 1, 2014; August 1, 2002; July 1, 1994; July 1, 1993.1993;

Readopted Eff. July 1, 2018.

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3 rd Revision	<i>Correction</i>	Apr 10, 2017	82 FR 17144
4 th Revision	Jul. 31, 2018	Sep. 11, 2019	84 FR 47889

.1003 DEFINITIONS

The following definitions of terms apply to 15A NCAC 02D .1002 through .1006 regulating either gasoline-powered or hybrid-powered motor vehicles:

- (1) "Fuel Cell Electric Vehicle" means as defined in G.S. 20-4.01.
- (2) "Gasoline-powered Motor Vehicle" means a four-wheeled motor vehicle designed primarily to be propelled by the burning of gasoline in an internal combustion engine.
- (3) "Heavy-duty Gasoline Vehicle" means either a gasoline-powered or hybrid-powered motor vehicle which is designed primarily for:
 - a. Transportation of property and has a Gross Vehicle Weight Rating (GVWR) of more than 8500 pounds but less than 14,001 pounds;
 - b. transportation of persons and has a capacity of more than twelve (12) persons; or
 - c. Use as a recreational vehicle that is designed primarily to provide temporary or permanent living quarters for travel, camping, or other recreational use and has a GVWR of more than 8500.
- (4) "Hybrid-powered Motor Vehicle" means a four-wheeled motor vehicle designed to be propelled by a combination of one or more electric motors and the burning of gasoline in an internal combustion engine.
- (5) "light-duty Gasoline vehicle" means either a gasoline-powered or hybrid-powered motor vehicle which is designed primarily for:
 - a. Transportation of property and has a GVWR of 8500 pounds or less; or
 - b. Transportation of persons and has a capacity of 12 persons or less.
- (6) "Model year" means the year used to designate a discrete vehicle model, irrespective of the calendar year in which the vehicle was actually produced, provided that the production period does not exceed 24 months.
- (7) "Motorcycle" as defined in G.S. 20-4.01
- (8) "Motor vehicle" as defined in G.S. 20-4.01.
- (9) "Plug-in Electric Vehicle" means as defined in G.S. 20-4.01.
- (10) "Three most recent model years." For the purposes of 15A NCAC 02D .1002 through .1006, the term "three most recent model years" shall be calculated by adding three years to the vehicle's Vehicle Identification Number (VIN) or the registration card model year to determine the first calendar year an emissions inspection is required.
- (11) "Vendor" means any person who sells or leases equipment to inspection stations that is used to perform on-board diagnostic tests to show compliance with 15A NCAC 02D .1005.

History Note: Authority G.S. 143-215.3(a)(1);
Eff. December 1, 1982.
Amended Eff. February 1, 2014;
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.1005 ON-BOARD DIAGNOSTIC STANDARDS

- (a) This Rule shall apply to vehicles as set forth in 15A NCAC 02D .1002.
- (b) Vehicles covered under this Rule shall pass annually the on-board diagnostic test described in 40 CFR 85.2222. The vehicle shall fail the on-board diagnostic test if any of the conditions of 40 CFR 85.2207 are met. Equipment used to perform on-board diagnostic tests shall meet the requirements of 40 CFR 85.2231.
- (c) The tester shall provide the owner of a vehicle that fails the on-board test described in Paragraph (b) of this Rule a report of the test results. This report shall include the codes retrieved per 40 CFR 85.2223(a)), the status of the malfunction indicator light illumination command, and the customer alert statement described in 40 CFR 85.2223(c).
- (d) Persons performing on-board diagnostic tests shall provide the Division of Air Quality data necessary to determine the effectiveness of the on-board diagnostic testing program. The data submitted shall be what is necessary to satisfy the requirements of 40 CFR 51.365, Data Collection, and 40 CFR 51.366, Data Analysis and Reporting, and 40 CFR 51.358, Test Equipment.
- (e) Federal regulations cited in 18 this Rule are incorporated by reference, including subsequent amendments and editions. All federal regulations referenced in this Rule can be accessed free of charge at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.

History Note: Authority G. S. 20-128.2(a); 143- 215.3(a)(1); 143-215.107(a)(6); 143-215.107(a)(7); 143-215.107a(B); S.L. 1999 c.328 s.3.2; Eff. December 1, 1982; Amended Eff January 1, 2014; July 1, 2002; July 1, 1998; April 1, 1991; November 1, 1986; *Readopted Eff. July1, 2018*.

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